

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JANICE GRANT,

Defendant.

8:07CR242

ORDER

This matter is before the court on the defendant's letter dated September 11, 2013, construed as a motion for appointment of substitute counsel. **See** Filing No. 154 - September 11, 2013, Letter. This court previously appointed Matthew R. Kahler (Mr. Kahler) to represent the defendant on her claim of witness tampering. **See** Filing No. 149 - Memorandum and Order. "[I]n all cases in which a court had appointed counsel, substitution motions should be decided 'in the interests of justice.'" **Martel v. Clair**, 132 S. Ct. 1276, 1279 (2012) (**quoting** 18 U.S.C. § 3006A(c)). The "interests of justice" standard contemplates a peculiarly context-specific inquiry. **Id.** Relevant considerations generally include: "the timeliness of the motion; the adequacy of the district court's inquiry into the defendant's complaint; and the asserted cause for that complaint, including the extent of the conflict or breakdown in communication between lawyer and client." **Id.** at 1280; **see also United States v. Rodriguez**, 612 F.3d 1049, 1054 (8th Cir. 2010). The court finds that the defendant has not demonstrated an irreconcilable conflict, complete breakdown in communications, or actual conflict of interest with Mr. Kahler. Accordingly,

**IT IS ORDERED:**

The defendant's motion for substitution of counsel (Filing No. 154) is denied.

Dated this 18th day of September, 2013.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge